

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**CRIMINAL MINUTES – JURY TRIAL  
Day 5**

**Case No.: 4:18CR00011**

**Date: 10/11/2019**

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**Defendant:**

4:18-cr-00011-MFU-RSB-1 Marcus Jay Davis  
4:18-cr-00011-MFU-RSB-2 Kevin Lamont Trent, Jr.  
4:18-cr-00011-MFU-RSB-3 Kanas Lamont'e Trent  
4:18-cr-00011-MFU-RSB-4 Deshaun Lamar Trent  
4:18-cr-00011-MFU-RSB-5 Phillip Daekwon Miles  
4:18-cr-00011-MFU-RSB-6 Shabba Larun Chandler  
4:18-cr-00011-MFU-RSB-8 Ashley Tiana Ross  
(bond)  
4:18-cr-00011-MFU-RSB-10 Tenikqua Fuller (bond)

**Counsel:**

Tony Anderson, Bev Davis  
Aaron Cook, Jimmy Turk  
Bonnie Lepold, Mike Hemenway  
Chris Kowalczyk, Patrick Kenney  
Tyson Daniel, Cary Bowen  
Aaron Houchens, Jeff Dorsey  
Terry Grimes  
  
Corey Diviney

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PRESENT:	JUDGE:	Michael F. Urbanski, CUSDJ
	TIME IN COURT:	9:28-12:30; 2:11-5:24; 5:39-6:50 7h 26m
	Deputy Clerk:	Kristin Ayersman
	Court Reporter:	Judy Webb
	U. S. Attorney:	Heather Carlton, Ron Huber, Michael Newman
	USPO:	Kim Falatic
	Case Agent:	Devin Taylor, FBI TFO Pittsylvania County
	Interpreter:	none

**LIST OF WITNESSES**

GOVERNMENT	DEFENDANT
1.	1.

**PROCEEDINGS:**

Panel 6 – Collective voir dire. Jury sent out 10:23. Panel returns to courtroom 10:41. Collective voir dire continued. Recess 12:30 Reconvene 2:11 Mr. Kowalczyk addresses court/parties re guilty plea of Matthew Ferguson, -007, held today. Mr. Kowalczyk moves court for subpoena and for evidence to be produced, as stated, or mistrial. US responds. Court directs Mr.

Kowalczuk to file motions, US to respond thereafter. Court addresses motion in limine filed by Mr. Cook – court asks parties to respond to that Monday. Individual voir dire. Recess 5:24 Reconvene 5:39 Individual voir dire continued. Court discusses next panel, alternates, strikes. Mr. Kowalczuk moves for corroborating discovery forthwith re Matthew Ferguson – US will email exhibit number to defense counsel. Adjourn 6:50

- 12 struck for cause.
- # struck jurors struck by Government.
- # struck jurors struck by Defendant.
- # jurors sworn member jury impaneled and sworn. Remaining jurors discharged.
- ☐ Preliminary remarks and instructions to jury by Court.
- ☐ United States of America or Defendant makes oral Motion to Exclude Witnesses from Courtroom. Court grants motion.
- ☐ Opening Statements by counsel.
- ☐ Government presents evidence.
- ☐ Government rests.
- ☐ Defendant makes Motion for Judgment of Acquittal.
- Court ☐ grants ☐ denies ☐ takes under advisement.
- ☐ Defendant presents evidence.
- ☐ Defendant rests.
- ☐ Defendant renews Motion for Judgment of Acquittal.
- Court ☐ grants ☐ denies ☐ takes under advisement.
- ☐ Rebuttal evidence.
- ☐ Surrebuttal evidence.
- ☐ Closing Arguments.
- ☐ Jury Instructions given to Jury.
- ☐ Objections to Jury Instructions by U.S.A and/or Defendant.
- Court ☐ overrules ☐ grants.
- ☐ Jury retires to deliberate at Time retired.
- ☐ Jury returns at Time returned.
- ☐ Jury Verdict: Verdict?
  - ☐ Jury polled. ☐ Polling waived.
  - ☐ Mistrial declared. ☐ Jury discharged.
- ☐ Motions after verdict:
- ☐ Sentencing set for \_\_\_\_\_.
- ☐ Sentencing to be set by Clerk.
- ☐ Court orders Presentence Report.
- ☐ Defendant remanded to custody.
- ☐ Defendant to remain on bond.

Additional Information: